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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,260	12/01/2003	Richard J. Schaeffer	030672	5564

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EXAMINER

NGUYEN, THANH T

ART UNIT	PAPER NUMBER
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2144

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/725,260

Applicant(s)

SCHAEFFER, RICHARD J.

Examiner

Tammy T. Nguyen

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on December 1, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-15 and 17-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) 16 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/27/06</u> . | 6) <input type="checkbox"/> Other: _____ |



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Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S. C. 121:
 - I. Claims 1-15, 17-31 drawn to **an enterprise output management and information control system for managing data transmission between pluralities of work station and application servers and digital output destination**, classified in class 709 subclass 225.
 - II. Claims 16 drawn to **an information control system for managing report data generated at a work station**, classified in class 709 subclass 223.
2. Inventions I, and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable.
3. In the instant case, invention I has separate utility such as an enterprise output management and information control system for managing data transmission between pluralities of work station and application servers and digital output destination, classified in a *different Class/ Subclass*. Invention II has separate utility such as an information control system for managing report data generated at a workstation, classified in a *different Class/Subclass*. See MPEP § 806.05(d).
4. The inventions are distinct for reasons given above, and the search required for

each Group is different and not co-extensive for examination purposes. For example, the searches for the three inventions would not be co-extensive because these Groups would require different searches on PTO's classification class and subclass as following reasons:

(a) These invention have acquired a separate status in the art as shown by their different classifications.

(b) The search required for each Group is different and not co-extensive for examination purposes.

For example, the searches for the three inventions would not be co-extensive because these Groups would require different searches on PTO's classification class and subclass as following:

The Group I search (claims 1-15, and 17-31) would require use of search **Class 709, subclass 225** (not require for invention II).

The Group II search (claim 16) would require use of search **Class 709, subclass 223** (not require for the invention I).

For the reasons given above restriction for examination purposes as indicated is proper.

During the telephone with Mr Brian Opalko (reg. 40,751) agreed to select group I (claims 1-15, 17-31) on March 1, 2007.

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

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application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Arts Rejection

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-3, and 5-15 rejected under 35 U.S.C. 102(e) as being clearly anticipated by Niblett et al. (USPN 6,336,135 – Date of Patent: January 1, 2002, herein referred to as “Niblett”).

8. As to claim 1, Niblett teaches the invention as claimed, including an enterprise output management and information control system for managing data transmissions between pluralities of work stations and application servers and digital output destinations, said system comprising:

a system server (Fig.4, 230 Web server system) in communication with each of the pluralities of work stations (Fig.3, col.6, lines 10-32) and application servers (Fig.4, application 270) and digital output destinations, the system server (a) receiving report jobs generated at the plurality of work stations and application servers (abstract, col.4, line 64 to col.5, line 15, and col.6, lines 43-57) , (b) translating the received report jobs into a format appropriate for a destined digital output destination (col.6, lines 43-67) , and (c) routing the received report jobs in the appropriate format to the destined digital output destination (Fig.4, col.7, lines 7-35).

9. As to claim 2, Niblett teaches the invention as claimed, wherein the system server comprises:

a plurality of input ports receiving the generated report jobs from the plurality of work stations and application servers (col.7, lines 35-51);

a plurality of output queues (Fig.2, col.10, lines 13-46) each assigned a particular digital output destination to which report jobs are submitted; and

a rules and analysis system (a) analyzing report jobs received at the plurality of input ports (Fig.1, col.9, line 57 to col.10, line 12), (b) translating the analyzed report jobs into a format appropriate for a destined digital output destination (col.9, line 57 to col.10, line 12) , and (c) routing the translated report jobs to the output queue associated with the destined digital output destination (col.1, line 66 to col.2, line 23).

10. As to claim 3, Niblett teaches the invention as claimed, wherein each report job is generated in one of a plurality of data formats and transmitted from the plurality of work stations and application servers to the system server via one of a plurality of input transport mechanisms,

and wherein each of the plurality of input ports is assigned a particular data format and a particular input transport mechanism for receiving generated report jobs (col.3, lines 35-61).

11. As to claim 5, Niblett teaches the invention as claimed, wherein the plurality of input transport mechanisms comprise file transfer protocol (IP/FTP), Net BIOS/Net BEUI printer shares, file sharing systems as established by network operating system manufacturers, line printer requestor/line printer daemon relationships (LPR/LPD), and Internet printing protocol (abstract, col.4, lines 5-27).

12. As to claim 6, Niblett teaches the invention as claimed, wherein the plurality of input ports each maintains its own queue of unprocessed report jobs and a history of received report jobs (col.3, lines 9-34).

13. As to claim 7, Niblett teaches the invention as claimed, wherein the plurality of output queues each include a transmission mechanism for examining and evaluating a status of the plurality of digital output destinations (col.1, line 65 to col.2, line 23).

14. As to claim 8, Niblett teaches the invention as claimed, wherein the transmission mechanism is selected from the group consisting of SNMP Query and Response, IP Ping and Response, Accessibility of Network File Share, and existence and content of a status file (col.17, lines 37-54).

15. As to claim 9, Niblett teaches the invention as claimed, wherein the plurality of output queues generate an alert notification upon detection of an abnormal condition at its assigned digital output destination (col.1, line 65 to col.2, line 23).

16. As to claim 10, Niblett teaches the invention as claimed, wherein the alert notification is communicated to select alert recipients via an alert mechanism (col.15, lines 36-49).

17. As to claim 11, Niblett teaches the invention as claimed, wherein the alert mechanism is selected from the group consisting of a network message, e-mail, visual on-screen alert, auditory alert, pager, voice mail, local application launch, remote application launch, and an error log entry (col.2, lines 24-50, col.6, lines 43-58).

18. As to claim 12, Niblett teaches the invention as claimed, further comprising an archive viewer storing all report jobs received at the system server (col.7, lines 8-30).

19. As to claim 13, Niblett teaches the invention as claimed, wherein report jobs stored in the archive viewer are stored in the appropriate format of their destined digital output destination (col.8, lines 11-37).

20. As to claim 14, Niblett teaches the invention as claimed, wherein the generated report jobs include report data, and wherein the system server further comprises:

a forms database storing a plurality of different types of forms; and a report formatting module (a) analyzing the report data (col.9, line 57 to col.10, line 11), (b) selecting one of the plurality of forms from the forms database based upon the analyzation (col.2, lines 24-50), and (c) merging the report data with the selected form to develop the received report jobs (col.6, line 58 to col.7, line7).

21. As to claim 15, Niblett teaches the invention as claimed, wherein the report data includes a first horizontal and vertical coordinate system and the selected form includes a second horizontal and vertical coordinate system. and wherein the system server further comprises a configuration file storing alteration information data indicative of merging report data having the first horizontal and vertical coordinate system with the form having the second horizontal and

vertical coordinate system, the alteration information data accessed and used by the report formatting module in merging the report data with the selected form (col.16, lines 13-53).

22. Claim 17-19 and 21-31 have similar limitations as claims 1-13, 4-15; therefore, they are rejected under the same rationale.

Claim Rejections - 35 USC § 103

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

24. Claims 4 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niblett et al., (hereinafter Niblett) U.S. Patent No. 6,336,135 in view of Brossman et al., (hereinafter Brossman) U.S. Patent No. 6,266,150.

25. As to claim 4, Niblett does not explicitly teach the plurality of data formats comprise PJJ, PCL, Test and Raw SNA/APPC data formats.

In the same field of endeavor, Brossman discloses (e.g., virtual Printer). Brossman discloses PJJ, PCL, Test and Raw SNA/APPC data formats (see col. 4, lines 29-45).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Brossman's teachings of a Virtual Printer with the teachings of Niblett to have PJJ, PCL, Test and Raw SNA/APPC data formats, for the

purpose of providing a flexible and extensible architecture that allows support for new output devices to be added easily and inexpensively (see col.2, lines 2-5).


26. Claim 20 has similar limitations as claim 4; therefore, they are rejected under the same Rationale.

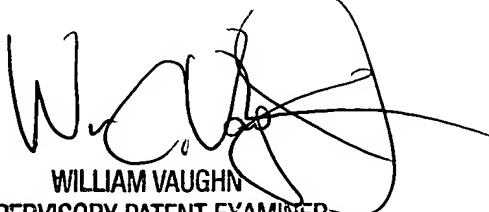
Conclusion

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272-3929. The examiner can normally be reached on Monday - Friday 8:30 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ***William Vaughn*** can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


March 2, 2007


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